

Frank J. Uddo*
 Anthony J. Milazzo, Jr.*
 J. A. "Jay" Beatmann, Jr.
 Mark C. Carver*

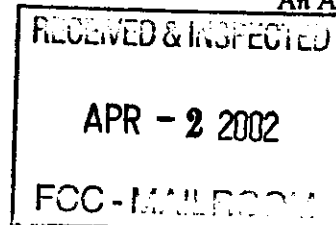
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March 11, 2002

Magalie Roman Salas
 Office of the Secretary
 Federal Communications Commission
 Room TW-B204
 445 12th St. S.W.
 Washington, D.C. 20554

Re: In the Matter of Directory Listing Information Under the Communications
 Act of 1934, As Amended.
 CC Docket No. 99-273

92-1051

Dear Ms. Salas:

Please find the original and eight duplicate copies of Comments on Behalf of
 Utility, Cable & Telecommunications Committee of the City Council of New Orleans.
 Please file these Comments into the record of this matter.

If you have any questions, please feel free to contact me at (504) 832-7204.

With kindest personal regards, I am

Very truly yours,

MARK C. CARVER

MCC/mc
 Enclosures

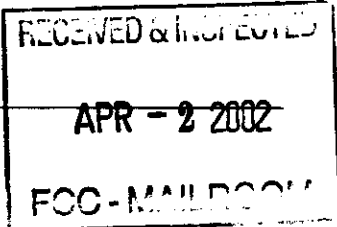
cc: Pam Slipakoff (3 copies and diskette)
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Committee of the City Council of New Orleans.
March 11, 2002

FCC 01-384



Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Provision of Directory Listing Information)	CC Docket No. 99-273
Under the Communications Act of 1934,)	
As Amended)	
)	
The Use of N11 Codes and Other)	CC Docket No. 92-105
Abbreviated Dialing Arrangements)	
)	
Administration of the North American)	CC Docket No. 92-237
Numbering Plan)	

**Comments On Behalf Of The Utility, Cable & Telecommunications Committee
Of The City Council Of New Orleans**

NOW COMES, the Utility, Cable & Telecommunications Committee of the City Council of New Orleans ("CNO"), through undersigned counsel, who respectfully submits the following comments regarding the Federal Communications Commission's Notice of Proposed Rulemaking concerning competition and choice in the retail directory assistance market.

I. Introduction.

On January 9, 2002, the Federal Communications Commission released a Notice of Proposed Rulemaking seeking comment on proposed methods of promoting competition and choice in the retail directory assistance market. Specifically, the Commission seeks comment as to whether the market for the competitive provision of directory assistance has developed to a point such that additional steps must now be taken to ensure that all

competitors have the same opportunity for access to customers. Conversely, the Commission seeks comment as to whether the directory assistance market is sufficiently open to competition such that further regulatory action is not necessary. In addition, the Notice also raises consumer protection concerns related to competition and choice in the retail directory assistance market.

In light of new technological advances and deregulation in the telecommunications industry, CNO has begun to take an active role in telecommunication proceedings before this Commission and the Louisiana Public Service Commission. CNO has a legitimate interest to ensure that its residents receive the benefits of new technological advances and to ensure that its residents are also protected from unreasonable rates and abusive practices as a result of deregulation.

II. Comments.

As stated in the preamble to the Telecommunications Act, its purpose is “[t]o promote competition and reduce regulation in order to secure lower prices and higher quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies. *Telecommunications Act of 1996*. The goal of the Act is to let anyone enter any communications business -- to let any communications business compete in any market against any other. To achieve that goal, Congress authorized the FCC to take deregulatory, pro-competitive steps to encourage new entrants into the telecommunications marketplace. Thus, in the end, competition should provide consumer benefits, *e.g.*, lower prices and higher quality services.

However, before the Commission adopts any rules regarding directory assistance competition, the Commission should carefully consider the market forces to ensure that any further regulatory action will not result in additional costs for consumers. Competition may initially result in lower costs and benefits for consumers, but over time, competition can sometimes eventually lead to higher costs. The duplication of infrastructure is not always required.

CNO suggests that the Commission consider undertaking an independent market and economical study to determine what, if any, additional costs to consumers may occur if further regulatory action is, or is not, taken. Simply stated, competition for the sake of competition is not desirable if it results in higher costs for the consumer with no additional benefits realized. Prior to adopting any rules, CNO requests that the Commission sincerely consider the economic effect that additional regulatory action will have on consumers.

In addition to cost-benefit concerns, the Notice of Proposed Rulemaking also raises several consumer protection concerns. In particular, what rules are needed to reduce customer confusion if 411 presubscription is implemented? There is concern that the need for customers to make an additional choice would result in substantial customer confusion. In order to prevent customer confusion, CNO strongly supports efforts to educate the consumer. Thus, LECs should be required to give notice to their subscribers via billing inserts explaining their right to choose a directory assistance provider and the methods for making that choice. Additionally, directory listings (phone books) should provide information regarding 411 presubscription. Naturally, if the goal of competition is to

provide lower costs and benefits to consumers, than competition will only be successful if consumers are made fully aware of their ability to make a choice in the provision of directory assistance.

Furthermore, if 411 presubscription is implemented, there is also concern that there could be the potential for new slamming and cramming opportunities. As stated in the Notice, one simple solution is to have the directory assistance provider identify itself at the beginning of the call. Therefore, the consumer will immediately realize that he is no longer dealing with the directory assistance provider of his choice. Additionally, as good business practice, the former provider should contact the consumer to confirm that the consumer did in fact knowingly and voluntarily change service. Thus, the former provider can attempt to reclaim its "stolen" customer.

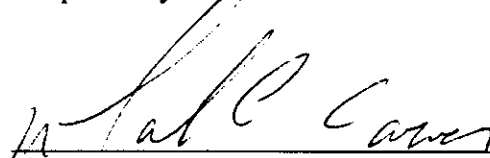
III. Conclusion.

The Utility, Cable & Telecommunications Committee of the City Council of New Orleans respectfully requests that the Federal Communications Commission ascertain the economic impact that additional regulatory action (or inaction) will have on consumers prior to taking such action (or inaction). Furthermore, any rules regarding competition and choice in the retail directory assistance market should adequately protect consumers from abusive practices.

Comments on behalf of The Utility, Cable & Telecommunications
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Respectfully submitted:

A handwritten signature in black ink, appearing to read "Frank J. Uddo", is written over a horizontal line.

FRANK J. UDDO (#12976)

MARK C. CARVER (#22297)

Uddo, Milazzo & Beatmann

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New Orleans, Louisiana 70112

(504) 569-1807

Special Counsel for the City of New Orleans

Certificate of Service

I hereby certify that the above and foregoing was this day served upon the following by depositing same into the US Mail, postage prepaid and properly addressed.

Signed in Metairie, Louisiana, MARCH 11 2002.


MARK C. CARVER

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Washington, D.C. 20554
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Common Carrier Bureau
Federal Communications Commission
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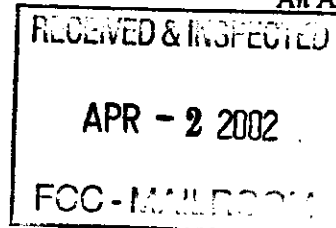
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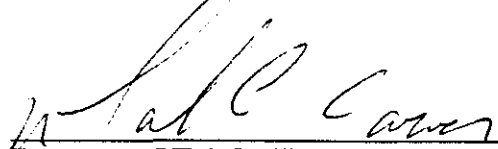
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